

ORIGINAL

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF GEORGIA

FILED IN OPEN COURT  
U.S.D.C ATLANTA

ATLANTA DIVISION

DEC 09 2008

JAMES N. HATTEN, CLERK  
By:  Deputy Clerk

UNITED STATES OF AMERICA

v.

CASSANDRA WARD

CRIMINAL INDICTMENT

NO.

1 08-CR-482

THE GRAND JURY CHARGES THAT:

COUNT ONE  
(Mail Fraud)

Background

At all times relevant to the charges alleged herein:

1. Disability compensation is a monetary benefit paid by the United States Department of Veteran Affairs ("VA") to veterans who are disabled by injury or disease incurred or aggravated during active military service. Disability compensation is paid monthly.

2. Survivors' benefits are monetary benefits paid by VA to the surviving spouses or family members of deceased veterans who have monies in accounts maintained by VA at the time of death.

3. The defendant, CASSANDRA WARD, married Stephen R. Lee, a veteran of the United States Army, on or about September 20, 1997. Lee had also previously worked for the United States Postal Service.

4. On or about August 8, 2001, a Final Judgment and Decree was issued by a state probate court, which dissolved the marriage

between defendant WARD and Lee.

5. Defendant WARD and Lee did not live together after the divorce.

6. Starting in May 2003, due to various physical ailments related to diabetes and renal problems, Stephen R. Lee took up residence in VA hospitals and nursing homes in Alabama. Due to these medical problems, VA determined that Lee was eligible for disability compensation.

7. In 2003, VA set up a Patient Fund Account for Lee. VA was supposed to deposit Lee's disability benefits into the Patient Fund Account. In or about July 2003 and August 2003, however, VA, in error, mailed benefit checks for Lee to WARD's residence in Georgia.

8. Besides checks from VA, retirement benefit checks, owed to Lee based on his service as a United States Postal Service employee, were also mailed, in error, to Ward's residence in 2003.

9. On or about January 10, 2005, Stephen R. Lee died in a VA hospital in Alabama.

The Scheme and Artifice to Defraud

10. From in or about July 2003, and continuing to in or about September 2005, in the Northern District of Georgia and elsewhere, defendant CASSANDRA WARD, did knowingly and willfully devise and intend to devise a scheme and artifice to defraud the Department of Veteran Affairs, other agencies of the United States, and Stephen

R. Lee, and to obtain money and property by means of materially false and fraudulent pretenses, representations, and promises.

11. The scheme and artifice to defraud and to obtain money by means of materially false and fraudulent representations and promises is more particularly described as follows:

a. Defendant CASSANDRA WARD would and did forge the signed endorsement of Stephen R. Lee on multiple benefit checks that were mailed to her home in error by the Department of Veteran Affairs and other agencies of the United States, and would and did deposit such checks in her personal bank account at the Associated Credit Union, account number xx2022.

b. Defendant CASSANDRA WARD would and did fail to advise and notify the Department of Veteran Affairs and other agencies of the United States of, and would and did conceal, the material fact that she had been divorced from Stephen R. Lee since August 2001, and that Stephen R. Lee did not reside at her home in 2003.

c. By failing to advise and notify the Department of Veteran Affairs and other agencies of the United States of, and concealing, facts material to the determination of how and where to distribute benefit checks for Stephen R. Lee, defendant CASSANDRA WARD would and did cause the Department of Veteran Affairs and other agencies of the United States to mail benefit checks to her home.

d. In September 2005, after the death of Stephen R. Lee, defendant CASSANDRA WARD would and did mail a claim to the Department of Veteran Affairs in which she represented that she was Stephen R. Lee's wife and claimed the funds that remained in Lee's VA Patient Fund Account.

e. In claiming the funds in Lee's VA Patient Fund Account, defendant CASSANDRA WARD would and did fail to advise and notify the Department of Veteran Affairs of, and would and did conceal from the Department of Veteran Affairs, the material fact that she had been divorced from Stephen R. Lee since August 2001. Further, defendant CASSANDRA WARD would and did affirmatively make the false representation that she was still the wife of Stephen R. Lee.

#### Execution of the Scheme

12. On or about September 3, 2005, within the Northern District of Georgia, defendant CASSANDRA WARD, for the purpose of executing the aforesaid scheme and artifice to defraud, did knowingly cause to be sent and delivered by the United States Postal Service, according to the direction thereon, and to be taken and received therefrom, a claim upon and against the United States Department of Veteran Affairs, that is, a Claim Against the United States for Amounts Due in the Case of a Deceased Creditor (Standard Form 1055), knowing that this claim was fraudulent in that the submitted Standard Form 1055 contained false information, to wit,

that the defendant was the wife of veteran Stephen R. Lee, when in truth and in fact, as the defendant well knew, she was not the wife of Stephen R. Lee when the claim was submitted, all in violation of Title 18, United States Code, Section 1341.


COUNT TWO  
(False Claim)

13. On or about September 3, 2005, in the Northern District of Georgia, the defendant, CASSANDRA WARD, made and presented to the United States Department of Veteran Affairs, a claim upon and against such department, that is, a Claim Against the United States for Amounts Due in the Case of a Deceased Creditor (Standard Form 1055), knowing that this claim was fraudulent in that the submitted Standard Form 1055 contained false information, to wit, that the defendant was the wife of veteran Stephen R. Lee, when in truth and in fact, as the defendant well knew, she was not the wife of Stephen R. Lee when the claim was submitted,

All in violation of Title 18, United States Code, 287.

A True BILL  
Arthur Hiner  
FOREPERSON

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